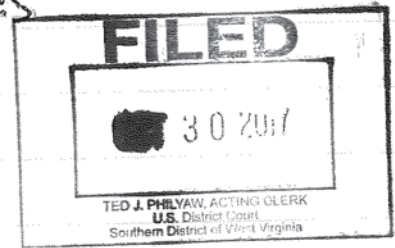


In THE UNITED STATES  
DISTRICT COURT  
SOUTHERN DISTRICT OF  
WEST VIRGINIA



JASON HAYNES WEST  
Plaintiff

CIVIL ACTION NO. 5:17-cv-04241

V.  
United States of America / officer  
Thomas, Officer Tavereo, officer Whitt.

Defendants

TORTS OF NEGLIGENCE  
Claim for Damages

JURY DEMANDED

1. This is a civil action authorized by 18 U.S.C.S. 4042 under the FTCA. The court has jurisdiction under 28 U.S.C.S. 1346(a)(b), The fourth and Eighth amendments to the

United States Constitution, and the Federal Tort Claims Act.

2. On May 9, 2017, plaintiff submitted an Administrative claim for damages, Injury, or Death, to the United States Federal Bureau of Prisons (FBOP) Department of Justice. This claim was denied on August 1, 2017.

### (FACTS)

3. I was working in Food service Bakery at FCI Beckley From April 2016 to July 15, 2016. MR. Wendall Shaffer Reg# 31431-074 was also working in Bakery at FCI Beckly From sometime around the End of May 2016 to the First week of July 2016. I was assaulted on July 15, 2016 by MR. Shaffer, and suffered a Very Traumatic eye Injury during the assault.

(FTCA)

## DECLARATION

4. I was called into assistant food service administrators office on or about the first week of June 2016. In attendance was MR. Thomas and MR. Whitt. MR. Thomas acknowledged that he was aware of MR. Shaffer's dislike for me. Then told me to deal with it or they would fire me. On or about the first week of July 2017 MR. Shaffer quit the bakery. The next day I was again called into Food Service Administrators office. In attendance was MR. Thomas and MR. Taveres. MR. Thomas proceeded to tell me that he was pissed off that MR. Schaffer quit Bakery, and that he thought it was my fault. I stated that I did not know why he quit and that he also was trying to get other Tennessee inmates to attack me. MR. Thomas then acknowledged the fact that he already knew that he was trying to get the Tennessee inmates to attack me. Then he stated to

me that again he did not like the fact that Mr. Shaffer had quit the bakery. Then I was dismissed. Then on July 15, 2016 I was assaulted by Mr. Shaffer inside the recreation room, and during the assault I suffered a very traumatic eye injury that caused the loss of my eye and vision. I have since endured 3 major eye surgeries and now have a prosthetic eye. I have endured much pain and suffering, and also I have been diagnosed with PTSD directly related to the assault. These officers failed in a major role as for the officer prisoner relationship, duty of care, safekeeping and to protect. These officers were aware of and knew that I was in danger. There was an element of choice, and they made an unreasonable decision not to intervene in any type of way, other than to threaten to terminate my job. Had they intervened I would not have been assaulted and lost my left eye, and now suffer with PTSD.

(Prayer For Relief)

As a direct result of the actions of the defendants, I suffered the total loss of my

Left eye. I also suffer now from PTSD. The quality of my life has greatly been affected, and I will have continuing medical care, expenses. I seek money awards damages in an undetermined amount as to this junction. I ~~seek~~ also seek cost to cover future medical expenses pertaining to my left prosthetic eye. I also seek medical coverage Related to my injuries.

All Defendants are  
equally sued in their  
Official Capacity.

Jason A. West  
Jason Haynes West #30759-057  
P.O. Box 4000 Manchester, KY  
40962

10/9/2017

NAME JASON H. West  
REG. NO. 30759-057 QTR. KB  
FEDERAL CORRECTIONAL INSTITUTION  
P.O. BOX 4000  
MANCHESTER, KY 40962-4000



CLERK OF COURT

Robert C. Byrd United States Courthouse and IRS Comp  
110 North Heber Street, Room 119  
Beckley, WV 25801

